

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LATISHA NICOLE TOLBERT,

Plaintiff,

-v-

5:22-CV-19

SGT. CAZZOLLI *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

LATISHA NICOLE TOLBERT

Plaintiff, Pro Se

123 Tyler Court, Apt. F

Syracuse, NY 13202

DAVID N. HURD

United States District Judge

ORDER ON REPORT & RECOMMENDATION

On January 10, 2022, *pro se* plaintiff Latisha Nicole Tolbert (“plaintiff”) filed this action alleging that defendants violated her civil rights by falsely arresting her on June 26, 2020. Dkt. No. 1. Plaintiff also sought leave to proceed without pre-paying the filing fee (“IFP Application”). Dkt. No. 2

On February, 9, 2022, U.S. Magistrate Judge Andrew T. Baxter granted plaintiff’s IFP application for the purposes of filing. Dkt. No. 3. After conducting an initial review of the complaint, Judge Baxter advised by

Report & Recommendation (“R&R”) that plaintiff’s complaint be dismissed with prejudice. *Id.* As Judge Baxter explained, the exhibits attached to the pleading conclusively established that defendants possessed probable cause to arrest plaintiff on June 26, 2020. *Id.*

Plaintiff has not filed objections, and the time period in which to do so has now expired. *See* Dkt. No. 4. Upon review for clear error, the R&R will be accepted and adopted in all respects. *See* FED. R. CIV. P. 72(b).

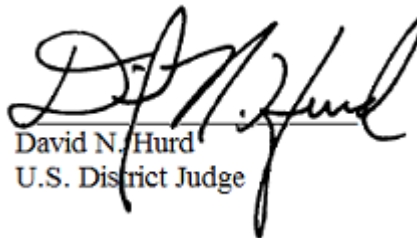
Therefore, it is

ORDERED that

1. The Report & Recommendation is ACCEPTED; and
2. Plaintiff’s complaint is DISMISSED WITH PREJUDICE.

The Clerk of the Court is directed to enter a judgment accordingly and close the file.

IT IS SO ORDERED.



David N. Hurd
U.S. District Judge

Dated: March 1, 2022
Utica, New York.